

BOROUGH OF NAUGATUCK
229 CHURCH STREET
NAUGATUCK, CONNECTICUT, 06770
203-720-7040

CHECKLIST FOR ZBA APPLICATION

_____ All property owners within a 55 foot radius must be obtained from the Assessor's records and listed on the back of the original Application.

_____ Ten copies of the Application (original, plus nine copies) and Ten copies of the plans.

_____ Original application must be notarized.

_____ Fee of \$200.00 + \$30.00(State DEP) and made payable to the "Borough of Naugatuck".

_____ Affidavit of certified letters sent to all property owners with the 55 feet of the property on which a variance is being sought (responsibility of the applicant). Instructions will be given when the application is filed at the office.

BOROUGH OF NAUGATUCK
229 CHURCH STREET
NAUGATUCK, CONNECTICUT, 06770

ZONING BOARD OF APPEALS

APPEAL NO. _____

DATE _____

FEE _____

Application for Variance from the Naugatuck Zoning Regulation, Certificate of approval of location or appeal from the decision of the Zoning Enforcement Officer.

APPLICANT: _____

ADDRESS: _____

OWNER (If Different): _____

ADDRESS (If Different): _____

To the Zoning Board of Appeals I hereby apply for:

Variance _____

Location _____

Appeal from the decision of the Zoning Enforcement Officer _____

Premises Located at _____

Located on the _____ side _____ feet distant from the intersection of _____

If vacant lot, give lot # _____ Block _____ as shown on the Naugatuck Assessor's maps. Property is located in a _____ zone.

This Appeal relates to: _____ Area _____ Height _____ Parking
_____ Use _____ Setback _____ Other

Explain other _____

If work constitutes an alteration or extension to an existing building, describe briefly _____

Under what portion of the Zoning Regulations is this appeal based? _____

Has any previous appeal been filed in Connecticut with this location?

NO _____ YES _____ WHEN _____

Is the property location within 500 feet of another town? YES _____ NO _____

Please explain specific hardship _____

I herby depose and say that the above statements and the statements contained in any papers submitted herewith are true.

NOTARY PUBLIC

APPLICANT SIGNATURE

DISTANCE REQUIREMENTS OF ABUTTING PROPERTY OWNERS
FOR ZONING APPLICATIONS.

ZONE CHANGE REQUEST – Property owners within 500 feet*

SPECIAL PERMIT APPLICATION – Property owners within 200 feet*

VARIANCE APPLICATION – Property owners within 55 feet*

Pertaining to certified mail notice an interpretation was added November 20, 1991 that includes –

“On certified mail notification as it relates to condo developments to mean those buildings/units within the required distances which include notice to the association/management.”

Each abutting property owner must have a letter sent to them certified mail. Certified mail information is available at the Post Office.

Use the following format –

The Date

Your name and address

Now list all the property owners that are within 55 feet of your property. The same list must be on the back of your original application.

List your appeal number that the Land Use Office assigned you.

Write something similar – The Zoning Board of Appeals, Borough of Naugatuck, will conduct a public hearing on _____ at 6:30 P.M., fourth floor, Town Hall, 229 Church Street, Naugatuck, CT to hear and decide the following variances – (Your name and what you are asking for in plain terms – for instance -)

The Smiths at 100 Jones Road are requesting to build a garage closer to the side line than is allowed because the remainder of their property is a pond.

Note: Applicant or his representative is required to attend this meeting.

However, if the adjoining property owners do not care to participate in the hearing, their attendance is not required. The adjoining property owners have the privilege of being present at the hearing to express their views on the request if they wish to be present or to send a letter to the ZBA.

Naugatuck Land Use Office

229 Church Street

Naugatuck, CT 06770

Affidavit

To Whom It May Concern:

This is to certify that I mailed the required letters notifying my neighbors of the
impending hearing that will take place on _____,
pertaining to _____

Subscribed and sworn to before me this _____ day of _____.

Applicant

Notary

ARTICLE V - ADMINISTRATION AND ENFORCEMENT

SECTION 51 - ZONING BOARD OF APPEALS

51.1 The Zoning Board of Appeals shall have all of the powers duties prescribed by these Regulations and the General Statutes of the State of Connecticut and may adopt rules and procedures necessary to exercise its authority.

51.2 The powers and duties of the Board of Appeals shall include following:

51.2.1 To hear and decide where it is alleged that there is an error in any order, requirement or decision made by the Zoning Enforcement Officer;

51.2.2 To hear and decide all matters upon which it is required to pass by the specific terms of these Regulations or of the General Statutes of the State of Connecticut;

51.2.3 To determine and vary application of these Regulations in harmony with their general purpose and intent and with major consideration for the conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship, so that substantial justice will be done and the public safety and welfare secured.

The Zoning Board of Appeals may consider the following in making a decision on a variance application:

(a) that if the owner complied with the provisions of these Regulations he would not be able to make any reasonable use of his property;

(b) the difficulties or hardship relate to the physical characteristics of that parcel of land and are peculiar to the property in question in contrast with those of other properties in the same district;

(c) that the hardship was not the result of the applicant's own action.

(d) that the hardship is not merely financial or pecuniary;

(e) hardship shall be stated in writing at the time of said application and shall appear in the variance when granted.

51.3 The Zoning Board of Appeals shall consider the following conditions when and file such conditions in the Office of the Town Clerk of the Borough of Naugatuck:

51.3.1 require the screening and parking areas of other parts of the premises from adjoining premises or from the street by walls, fences, plantings or other devices;

51.3.2 modify the exterior features or appearances of any structure where necessary to be in harmony with surrounding property;

51.3.3 limit the size, number of occupants or extent of facilities;

51.3.4 limit the methods or times of operations;

51.3.5 regulate the number, design and location of access drives;

51.3.6 regulate the number, type and location of outdoor lighting facilities;

51.3.7 any other conditions that are deemed necessary by the Zoning Board of Appeals.

51.4 The Zoning Board of Appeals shall not be allowed to permit use of land or structure not authorized by the provisions of these Regulations under Section 23 (Schedule A-Permitted Uses), for the zone in which the land is located.

51.5 Notification of Applications

51.5.1 Upon application for a variance, the petitioner shall conspicuously post a sign on said parcel, indicating the date and time of said hearing. Such sign as provided by the Zoning Enforcement Officer as authorized by the Borough of Naugatuck Zoning Commission.

51.5.2 Surrounding property owners within 55 feet from the property boundaries shall be notified by Certified Mail by the applicant of the impending public hearing. Affidavits of the certified letters shall be filed with the Land use office as proof of notification. (interpretation 11-20-91 - the certified mail notification (by the applicants) on both zone change applications and applications to the zoning board of appeals - as it relates to condo developments to mean those "buildings/units within the required distances which includes notice to the association/management".)